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cases is the broker's effort and money expended for advertising. *Hayes v. Clark* (1920) 95 Conn. 510, 111 Atl. 781. The minority of the court in the instant case argued that the defendant merely made an offer which could be accepted by the procuring of a customer by the plaintiff and which was revocable at any time before acceptance. The fact that the writing was on a standard form furnished by the plaintiff also had some weight since the terms should have been construed most strictly against the broker. See COMMENTS (1919) 28 YALE LAW JOURNAL, 575.

CONTRACTS—LANDLORD AND TENANT—PRE-EXISTING DUTY AS CONSIDERATION.—The defendant was the tenant of the plaintiff's land at a fixed rental per acre. During a flood, the defendant threatened to abandon the premises, and was induced to remain by the plaintiff's promise that rent for the flooded portion (almost one half) would not be asked. The plaintiff sued for rent for the entire premises. The defendant pleaded the later agreement. *Held*, that plaintiff could recover rent for the entire premises. *Hunter Land & Development Co. v. Watson* (1922, Mo.) 236 S. W. 670.

There are still a discouragingly large number of cases which reiterate the mechanical formula that a pre-existing duty cannot be a consideration for a new promise. The leaven of such a decision as that of Justice Cardozo's seems to need more than time to produce a desirable result. *DeCicco v. Schweizer* (1917) 221 N. Y. 431, 117 N. E. 807; Corbin, *Does a Pre-existing Duty Defeat Consideration?* (1918) 27 YALE LAW JOURNAL, 362.

ELECTIONS—NAMES OF PERSONS NOT ENTITLED TO HOLD OFFICE MAY NOT BE PRINTED ON OFFICIAL BALLOT.—The petitioners applied for a writ of mandamus to compel the Board of Elections to place on the official ballot as candidates for mayor of the City of New York and President of the Board of Alderman the names of two persons who were incarcerated in the state prison for felonies and whose terms of imprisonment extended beyond election day. *Held*, that the application should be denied, because under the Public Officers Law (Cons. Laws, 1909, ch. 47, sec. 3) and the Penal Law (Cons. Laws, 1909, ch. 88, sec. 510) a person to be nominated must be one who, at the time of his election, can take and hold the office for which he has been nominated. *Matter of Lindgren* (1921) 232 N. Y. 59.

In the absence of constitutional inhibition, the legislature has the power to determine the qualifications of state officials, and candidates for state offices. *Riter v. Douglas* (1910) 32 Nev. 400, 109 Pac. 444; 20 C. J. 125. Authority to pass upon objections to nominations is frequently vested by statute in election boards. *State v. Joyce* (1912) 87 Ohio St. 126, 100 N. E. 325. In some states the decision of the board is subject to review by the courts. *Hunt v. Hoffman* (1914) 125 Minn. 249, 146 N. W. 733; *State v. Hollowell* (1906) 77 Neb. 610, 110 N. W. 717. The board acts in a purely ministerial capacity. *State v. Democratic Committee* (1908) 120 La. 620, 45 So. 526. A fair construction of the statutes involved seems to lead to the conclusion that their purpose, at least in part, was to exclude from the official ballot the names of persons who would be ineligible to hold office if elected.

INTOXICATING LIQUORS—PROTECTION OF LAWFULLY ACQUIRED LIQUORS—RECOVERY FOR LIQUOR STOLEN FROM WAREHOUSE.—In July, 1919, the plaintiff stored 17 cases of liquor in the defendant's warehouse. Shortly thereafter they were stolen from the defendant, who was consequently unable to deliver them to the plaintiff on demand. Suit was brought to recover the value of the liquor. *Held*, that the plaintiff might recover. *Murphy v. St. Joseph Transfer Co.* (1921, Mo.) 235 S. W. 138.

In 1920 the United States Supreme Court held that liquor stored in a public